5472880/2022/VIG-I-PRR01

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PS – PR and RD Department – Allegations of irregularities in execution of certain internal CC road works taken up under MGNREGS & 14th Finance Commission in YSR Kadapa, East Godavari & Visakhapatnam Districts – Common disciplinary proceedings under Rule 24 of the A.P. Civil Services (CC&A) Rules, 1991 – Charges framed against Sri P. Nageswara Rao, the then Executive Engineer, PRI Division, Kadapa and 14 others - Appointment of Inquiry Authority and Presenting Officer under sub-rule (2) and (5)(c) of Rule 20 of APCS (CC&A) Rules, 1991- Orders – Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT (VIG.I) DEPARTMENT

G.O.Rt.No. 14 **Dated:12.01.2022**

Read the following:

1. Vigilance Report No.03/V&E/Engg/MGNREGS/2020, dated.06.02.2020 of Director General, V&E Department.
2. G.O.Ms.No.632, PR&RD (Vig.I) Department, Dated:12.06.2020.
3. G.O.Ms.No.633, PR&RD (Vig.I) Department, Dated:12.06.2020.
4. G.O.Ms.No.634, PR&RD (Vig. I) Department, Dated:12.06.2020.
5. G.O.Ms.No.635, PR&RD (Vig. I) Department, Dated:12.06.2020.
6. G.O.Rt.No.322, PR&RD (Vig. I) Department, Dated: 12.06.2020.
7. G.O.Rt.Nos. 323, 324, 325, 326, 327, 328, 329, 330, 331,332,333,334,335,226 & 337, P.R. & R.D (Vig. I) Department, Dated: 12.06.2020.
8. From the C.PR&RD, Letter No. 851/SRDS.OPS-HR/2020, dated: 23.07.2020.
9. From the C.PR&RD, Letter Rc. No. 119-210/CPR&RD/Vig/2020, dated:23.10.2020.
10. From the ENC,PR, letter No. Vig. II/768/2020, dated: 25.11.2020.
11. From the ENC,PR, Letter No. Vig. (4)/833/2020, dated: 11.12.2020.
12. Govt. Memo NO. 1202/Vig. I.2020-18, P.R& R.D (Vig I) Department, Dt: 02.03.2021.
13. Govt. Memo NO. 1202/Vig. I.2020-19, P.R& R.D (Vig I) Department, Dt: 02.03.2021.
14. From the ENC,PR, Letter No.Vig.(4)/833/2020, dt: 01.06.2021.
15. From the ENC,PR, Letter No. Vig. (4)/833/2020, dated: 01.06.2021.
16. From the ENC,PR, Letter No. Vig. (4)/833/2020, dated: 11.06.2021.
17. From the ENC,PR, Letter No. Vig. (4)/833/2020, dated: 29.06.2021.

PTO.,

18. From the ENC,PR, Letter No. Vig. I (1)/1202/2020, dated: 18.06.2021.
19. From the ENC,PR, Letter No. Vig. (1)/1202/2020, dated: 10.10.2021.

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ORDER:-

On the allegations of irregularities in execution of certain internal CC road works taken up under MGNREGS & 14th Finance Commission in YSR Kadapa, East Godavari and Visakhapatnam Districts, Government in the references 2 to 5 read above, have accorded sanction under Rule 9 (2)(b) of A.P. Revised Pension Rules, 1980 for institution of disciplinary proceedings against the following four (4) retired P.R. Engineering Personnel :

S/Sri

i. P. Nageswara Rao, the then Executive Engineer, PR, Kadapa and Superintending Engineer (PR) (Retired)

ii. Sri S. Hyder, the then Dy.E.E, PRI Sub-Division, Kamalapuram, YSR District (Retired).

iii. Sri K. Ravi Babu, the then E.E, PRI Division, Visakhapatnam (Retired) and

iv. Sri G.V.B. Rama Rao, the then Dy.E.E, PRI SD, Yelamanchili (Retired)

2. Simultaneously, vide reference 6th read above, Government have instituted common disciplinary proceedings under Rule 24 of A.P.C.S (CC&A) Rules, 1991 against the following fifteen (15) Panchayat Raj Engineering & Non-Engineering Personnel duly framing charges against them under Rule 20 of above said Rules vide references 7th read above (ie, in 15 G.Os) with a direction to submit their written statements of defence respectively. The Accused Officers responsible for each work, are as follows :

Sl. No.	Work Name	C.Os responsible
1	Laying of road from Jammalamadugu road to Private Colleges (ie, Gouthami Mahila Engineering College, Srinivasa Institute of Pharmaceutical Sciences Colleges & Vaagdevi Institute of Technology & Sciences in Peddasetty Palli Village of Proddutur Mandal, with MGNREGS funds in Proddutur, **YSR Kadapa District**	1. Sri J. Hare Rama Krishna, E.E, PR Division, Jammalamaugu, YSR District. 2. Sri A. Gopal Reddy, the then Dy.E.E, PR Division, Proddutur, YSR District 3. Sri S.Vijaya Bhaskar Reddy, A.E (MEO), PR Division, Proddutur, YSR District.

2	Providing internal roads with CC drains at 15th ward SC colony of Kamalapuram (V&M), **YSR Kadapa District**	1. Sri P. Nageswara Rao, the then E.E, Kadapa and S.E (PR) (Retired) 2. Sri S. Hyder, the then Dy.E.E, PRI Sub-Division, Kamalapuram, YSR District (Now Retired) 3. Sri S. Subramanyam, the then MEO, Kamalapuram and A.E, PRI Sub-Division, L.R. Palli.
3	Providing internal roads with CC drains in Kamalapuram SC colony of Kamalapuram Mandal, **YSR Kadapa District**	DO
4	Construction of drain & cc road from Ketha Bhavani house to OHSR under MGNREGS and 14th Finance commission funds tie up 50:50 bass in Markendeyapuram, Anaparthy Village, **East Godavari District.**	1. Sri A.V. Surnarayana, Dy.E.E, PRI Sub-Division, Biccavolu, E.G. District 2. Sri V.VS.V. Nagendra Rao, A.E.E, MP, Anaparthy, E.G. Dist.,
5	Construction of works taken up in Ramavaram (M), Anaparthy Mandal under MGNREGS & 14th Finance Commission, **East Godavari District**.	DO
6	Construction of IHHL's in Yerlagadda GP and Devaramadugu GP of Y. Ramavaram Mandal **East Godavari District**.	1. Sri K. Bapanna Dhora, the then M.P.D.O., Y. Ramavaram Mandal; 2 Sri S. Mohana Babu, the then Technical Assistant, Devaramadugula G.P, Y. Ramavaram Mandal; 3. Smt. Ch. Veeramatha, the then Secretary (Addl. Charge), Yerlagadda G.P. 4. Sri M. Madhusudhana Raju, the then Secretary (Addl. Charge), P. Yerragonda G.P.

7	Construction of CC pavement in Deverapalli and K. Kotapadu Mandals of **Visakhapatnam District**	1. Sri K. Ravi Babu, the then E.E, PRI Division, Visakhapatnam (Now Retired) 2. Sri G.V.B. Rama Rao, the then Dy.E.E, PRI SD, Yelamanchili (Now Retired) 3. Sri Quarshed Ali, MEO, Deverapalli, Visakhapatnam District

3. In the references 8th to 11 and 14th to 19 read above, the Commissioner, Panchayat Raj and Rural Development, A.P. Tadepalli and the Engineer-in-Chief, Panchayat Raj, A.P, Vijayawada have furnished the written statements of defence of (14) Charged officers and dated acknowledgements of one charged officer viz., Sri S. Mohana Babu, Tech. Assistant respectively. The particulars of WSDs/Dated acknowledgment received from Charged Officers as follows:

Sl. No.	**Work No.**	**Name of the C.O**	**Designation**	**Charges framed in G.O. Rt.No.__ & dated: 12.06.2020**	**W.S.D.**	**ACK copy received**
1	2	3	4	5	6	7
1	Work No.1, Kadapa	Sri J. Hare Rama Krishna	E.E, PR, Jammalamaugu,.	G.O. 323	WSD dt: 24.11.2020 - - - Further common repn. Dt:4.1.2021	--
2		Sri A. Gopal Reddy,	Dy.EE, PR, Proddutur	G.O. 324,	WSD dt: 10.12.2020 --- Further common repn. Dt:4.1.2021	--
3		Sri S.Vijaya Bhaskar Reddy,	A.E (MEO), PR Division, Proddutur	G.O. 325,	WSD dt: Nil received -- Further common repn. Dt:4.1.2021	--

4	Work Nos.**2** & **3**, Kadapa (two works and two charges against each C.O)	Sri P. Nageswara Rao,	The then EE, PR, Kadapa and SE, PR (Retd.)	G.O. 326	WSD dt: 12.02.2021 received	--
5		S.Hyder,	Dy.EE, PRSD, Kamala puram (Retd.)	G.O.327,	WSD received	
6		S. Subramanyam,	MEO, Kalamalapuram and AE, P R, LR. Palli	G.O.328,	WSD Dt: Nil received	
7	Work Nos. **4** & **5**, Anapart hy (V), EG Dist., (two works and two charges against each C.O)	Sri A.V. Suryanaray ana,	Dy.EE, PR, Biccavol u	G.O.329	WSD dt: 16.02.2021 received	
8		Sri V.V.S.V. Nagendra Rao	A.E.E, MP, Anapart hy	G.O.330,	WSD dt: 22.02.2021 received	
9	Work No. 6, Y. Ramava ram Mandal, EG Dist.	Sri . Bapanna Dora,	MPDO, Y. Ramava ram	G.O.331	WSD dt: 20.08.2020 received	
10		Sri S. Mohana Babu,	Tech. Asst.	G.O.332		ACK copy received and charges got served on 13.07.2020
11		Smt. Ch. Veeramath a	Secreta ry, Yerlaga dda GP	G.O.333	W.S.D dt: Nil received	
12		Sri M Madhusudh an Raju	Secreta ry, P. Yeralag onda GP	G.O.334	WSD dt: Nil received	

13	Work No. 7 in Deverapalli and K. Kotapadu Mandals, Visakhapatnam Dis.,	Sri K. Ravi Babu,	Former E.E, PRI, Visakhapatnam (Now Retd.	G.O.335,	WSD dt: 26.04.2021 received	
14		Sri G.V.B. Rama Rao,	Former Dy.EE, PRISD, Yelamanchili (Now Retd.)	G.O. . 336	WSD dt: 13.05.2021 received	
15		Sri Quarshed Ali	MEO, Devarapalli,	G.O. 337,	WSD dt: 13.04.2021 received	

4. The four (4) retired charged officers viz,. S/Sri (i) P. Nageswara Rao, the then E.E, PR and retired as S.E (PR), (ii) Sri P. Hyder, Dy.EE (Retd.), (iii) Sri K. Ravi Babu, E.E (Retd.) and (iv) Sri G.V.B. Rama Rao, Dy.EE (PR) in their written statements of defence have denied the charge framed against them respectively and they also made a common contention stating that four years limitation as per Rule 9 (2)(b) of A.P. Revised Pension Rules, 1980 was over in their cases and requested to consider their representations to drop further action against them.

5. The other three (3) Charged Officers viz,. S/Sri (i) J. Hare Rama Krishna, E.E (PR), (ii) Sri A. Gopal Reddy, Dy.EE (PR) and (iii) Sri S. Vijaya Bhaskar Reddy, A.E (Retd.), while denying the charges, have made a common contention and requested to separate their case and to avoid longer duration of time in concluding the disciplinary cases against them. The remaining charged officers have denied the charges framed against them.

6. Government have examined the contention of four (4) retired officers mentioned under Para 4 above to drop further action against them on eve of 4 years limitation. The Finance (HR.III Pension) Department in their Circular Memo No. 993083/FIN01-HRCLI/9/ 2019-HR-III, Dt: 15.03.2020 have issued a clarification to the Rule 9 (2)(b) (ii) of A.P. Revised Pension Rules, 1980 that "the date of occurrence of the event is always the date on which the effect of the event is fell or found out in Rule 9 (2)(b) of A.P. Revised Pension Rules, 1980 as per the judgment of the Hon'ble High Court in WP No. 38901 of 2017. In the instant case, the Vigilance Report is dated 06.02.2020 ie,. came to light and the Government have instituted disciplinary proceedings against the (4) Charged officers under relevant G.Os dt: 22.06.2020 ie., within four year limitation. As such, their request to drop further action is devoid of merits. The remaining denied the charges framed against them. As such a regular enquiry is needed in the matter. With regard to request of S/Sri J. Hare Rama Krishna, E.E (PR) & 2 other Charged Officers, it has been decided to obtain District wise inquiry report without waiting for other District works in the matter.

Contd. at P.7.,

7. Accordingly, Government after careful examination of the matter, have taken a decision to entrust the case to Commissioner of Inquiries to conduct regular inquiry into the charges framed against above (15) charged officers.

8. Now, therefore, the Government in exercise of the powers conferred by sub-rule (2) of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991, hereby appoint Sri K. Venkata Rami Reddy, Member, C.O.I, General Administration (COI) Department as the Inquiring Authority to inquire into the charges framed against al the above mentioned (15) Charged Officers.

9. Government also hereby appoint Smt. K.Swarna Seshu, Advocate as the Presenting Officer to present the case on behalf of the Government in support of the articles of charge against the said Government Servants before the Inquiry Authority on behalf of the Government under Rule 20(5) (c) of Andhra Pradesh Civil Services (CC&A) Rules, 1991.

10. The Presenting Officer shall acquaint herself with the facts of the case and present the case before the Inquiry Authority effectively. She is also requested to obtain and produce documents if any required by the Inquiry Authority during the course of enquiry without referring the matter to the Government.

11. The Inquiry Authority is requested to conduct Inquiry strictly in terms of rule 20 of Andhra Pradesh Civil Services (classification, control and appeal) Rules, 1991 and submit report as required under (18)(ii) of the above said Rules. He is requested to conduct inquiry and send District-wise inquiry report(s) as early as possible without waiting for other District works in the case.

12. Copies of Charge Memoranda issued to the Charged Officers and their written statements of defence are herewith furnished to the Inquiry Authority as required under rule 20 (7) of Andhra Pradesh Civil Services (CC&A) Rules, 1991.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri K. Venkata Rami Reddy, Member, C.O.I, General Administration (COI) Department (I.A) (w.e).
Smt. K.Swarna Seshu, Advocate, H.No. 3015047, A.P. Ramayya Street, J.P. Road, Siva Rao Pet, Bhimavaram-2, W.G. District (P.O) (w.e)

The Individuals concerned
through the Engineer-in-Chief, PR, AP, Vijayawada &
the Commissioner, PR&RD, AP, Tadepalli

The Engineer-in-Chief, Panchayat Raj, AP, Vijayawada (with a request to serve the order on the C.Os and send the dated acknowledgement copies).

The Commissioner, Panchayat Raj & Rural Development, A.P, Tadepalli, Guntur District (with a request to serve the order on the C.Os and send the dated acknowledgement copies).

Copy to:-

The General Administration (COI-R) Department.
The PR&RD (Vig.II / Vig. III) Department.
The P.R. & R.D (Estt. I) Department
The OSD to Hon'ble Minister for PR&RD.,
The PS to Prl. Secy. to Govt,. PR&RD. Dept.,
SF/SC.

//Forwarded :: By Order //

SECTION OFFICER